



C A L I F O R N I A D E P A R T M E N T O F

Mental Health

Memorandum

To: Steve Spears
Chief Deputy Director

Date: December 15, 2011

Bob Deaner
Director of Multifamily Programs

Laura Whittall-Scherfee
Chief of Multifamily Programs

From: 
Kathryn Radtkey-Gaither
Acting Chief Deputy Director

Telephone: (916) 654-2309

Subject: MHSA Housing Program Assignment Agreement

Currently, several county mental health departments are requesting to assign additional MHSA funds to the MHSA Housing Program. As a result of AB 100, DMH has released all MHSA funds to the counties and is no longer able to transfer funds to CalHFA on behalf of the counties.

In order to allow counties the ability to assign additional MHSA funds to the MHSA Housing Program, CalHFA has amended the current Housing Assignment Agreement to allow the funds to be directly sent from the county to CalHFA.

DMH agrees to the use of the revised MHSA Housing Program Assignment Agreement.

MHSA HOUSING PROGRAM ASSIGNMENT AGREEMENT

MHSA Housing Program

_____ County

_____ County (the "**County**") agreed to participate in the state-administered Mental Health Services Act ("**MHSA**") Housing Program funded from the Community Services and Supports component of the MHSA Three-Year Program and Expenditure Plan. The MHSA Housing Program is jointly administered by the Department of Mental Health ("**DMH**") and the California Housing Finance Agency ("**CalHFA**").

The County represents and warrants that it has a fully executed agreement between it and DMH memorializing its participation in the MHSA Housing Program.

The County agrees that upon its approval of this Assignment, in addition to any funds previously assigned, \$_____ will be transferred to CalHFA for the MHSA Housing Program. CalHFA will hold the funds transferred in a County specific sub-account, invest the funds in an appropriate investment vehicle as determined by CalHFA, and credit the county sub-account with interest received on the investment. CalHFA will treat the funds as if such funds were transferred by DMH to CalHFA in accordance with the terms of the "Inter-Agency Agreement For The Administration Of The Mental Health Services Act Housing Program" dated May 30, 2008, and entered into by DMH and CalHFA (the "**Inter-Agency Agreement**").

CalHFA is responsible for the review of the application for all aspects of the Housing Development related to purchase, renovation and/or construction of the housing; underwriting of loans; disbursement of funds; all determinations regarding the use of operating subsidies for the housing development; and continued asset management of the Housing Development.

The County acknowledges and agrees that (1) CalHFA is not assuming any obligations, responsibilities, or liabilities beyond those set forth in the Inter-Agency Agreement, (2) this Agreement shall not be deemed a modification or amendment to the Inter-Agency Agreement, and (3) CalHFA is not responsible for any of the DMH obligations or liabilities set forth in the Inter-Agency Agreement, including without limitation the review of the supportive services-related aspects of the application and for monitoring the program to assure that appropriate supportive services continue to be provided.

Nothing shall prohibit the County from using funds from other programs to supplement MHSA Housing Program funds, subject to requirements applicable to use such funds.

Date: _____

Approved for County (by signature):

By: _____ **DRAFT – DO NOT EXECUTE** _____

Name: _____

Title: _____

CALIFORNIA HOUSING FINANCE

AGENCY, a public instrumentality and political subdivision of the State of California

By: _____ **DRAFT – DO NOT EXECUTE** _____

Name: Claudia Cappio

Title: Executive Director